H.B. 273 UTILITY COSTS TO HOMEOWNER

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 24, 2003 3:

3:17 PM

Representative **Gordon E. Snow** proposes the following amendments:

1. Page 1, Line 5:

After "Code" insert "and provisions relating to special districts and local districts" and after "municipality" insert ", a special district, and a local district"

2. Page 1, Line 7:

After "owner." insert "The act authorizes special districts and local districts that own or control a water system to discontinue providing water if the property owner fails to pay for water previously furnished."

3. Page 1, Line 13:

After line 13 insert:

"17A-1-103, Utah Code Annotated 1953 17B-2-103, Utah Code Annotated 1953"

4. Page 4, Line 95:

After line 95 insert:

"Section 3. Section 17A-1-103 is enacted to read:

<u>17A-1-103.</u> Authority to require written application for water service and to terminate service for failure to pay -- Limitations.

- (1) A special district that owns or controls a system for furnishing water may:
- (a) before furnishing water to a property, require the property owner or an authorized agent to submit a written application, signed by the owner or an authorized agent, agreeing to pay for all water furnished to the property, whether occupied by the owner or by a tenant or other occupant, according to rules, regulations, or resolutions adopted by the special district; and
 (b) if an owner fails to pay for water furnished to the owner's
- (b) if an owner fails to pay for water furnished to the owner's property, discontinue furnishing water to the property until all amounts for water furnished are paid, subject to Subsection (2). (2)(a) A special district may not use an owner's failure to pay for

water furnished to the owner's property as a basis for not furnishing water to the property after ownership of the property is transferred to a subsequent owner.

(b) A special district may not require an owner to pay for water that was furnished to the property before the owner's ownership.

Section 4. Section 17B-2-103 is enacted to read:

<u>17B-2-103.</u> Authority to require written application for water service and to terminate service for failure to pay -- Limitations.

- (1) A local district that owns or controls a system for furnishing water may:
- (a) before furnishing water to a property, require the property owner or an authorized agent to submit a written application, signed by the owner or an authorized agent, agreeing to pay for all water furnished to the property, whether occupied by the owner or by a tenant or other occupant, according to rules, regulations, or resolutions adopted by the local district; and
- (b) if an owner fails to pay for water furnished to the owner's property, discontinue furnishing water to the property until all amounts for water furnished are paid, subject to Subsection (2).
- (2)(a) A local district may not use an owner's failure to pay for water furnished to the owner's property as a basis for not furnishing water to the property after ownership of the property is transferred to a subsequent owner.
- (b) A local district may not require an owner to pay for water that was furnished to the property before the owner's ownership."

Renumber remaining sections accordingly.